

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA

Plaintiff/Respondent,

v.

RALPH T. O'NEAL III

Defendant/Petitioner.

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No. 3:10-cv-13

JUDGMENT ORDER

In accordance with the accompanying Memorandum, the petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. The court thus **DENIES** the petitioner leave to proceed *in forma pauperis* on appeal.

ENTER:

ENTERED AS A JUDGMENT

s/ Patricia L. McNutt

CLERK OF COURT

s/ Thomas W. Phillips
United States District Judge